

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 WESLIE MARTIN,

Case No. 3:22-cv-00101-LRH-CLB

4 Petitioner,

ORDER

5 v.

6 WILLIAM REUBART, et al.,

7 Respondents.

8 This habeas matter is before the Court on Petitioner Weslie Martin's declaration of
 9 abandonment. (ECF No. 26.) On November 30, 2022, this Court determined that Grounds 4(a),
 10 4(c), and 5(b) of Martin's petition were unexhausted and instructed Martin to inform the Court
 11 how he wished to proceed on those unexhausted grounds. (ECF No. 25.) Martin has timely
 12 complied, electing to abandon the unexhausted grounds and "proceed with the exhausted grounds
 13 that were allowed by the Court." (ECF No. 26.)¹

14 **IT IS THEREFORE ORDERED** that Grounds 4(a), 4(c), and 5(b) are DISMISSED.

15 **IT IS FURTHER ORDERED** that Respondents have up to and including 30 days from
 16 the date of this order in which to file an answer to the remaining grounds for relief. Martin has 30
 17 days from the date of service of Respondents' answer to file a reply.

18 DATED THIS 7th day of December 2022.

19 
 20 LARRY R. HICKS
 21 UNITED STATES DISTRICT JUDGE
 22

23 ¹ Martin also explains that the Court may have misinterpreted his argument in Ground 1. (ECF No. 26.) Martin's explanation is noted.